

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No. CV 13-8404 CBM (CWx) Date February 13, 2014

Title *Gillon v. Villa*

Present: The Honorable CONSUELO B. MARSHALL, UNITED STATES DISTRICT JUDGE

YOLANDA SKIPPER  
Deputy Clerk

NOT REPORTED  
Court Reporter

Attorneys Present for Plaintiffs:

Attorneys Present for Defendants:

NONE PRESENT

NONE PRESENT

**Proceedings:** Order to Show Cause

The Court hereby ORDERS Plaintiff to show cause, in writing, why this Action should not be dismissed for lack of subject-matter jurisdiction.

Federal subject matter jurisdiction is satisfied by diversity or federal question jurisdiction. Under 28 U.S.C. § 1331, this Court has federal question jurisdiction for claims “arising under the Constitution, laws, or treaties of the United States.”

Plaintiff has not alleged what federal law has been violated. It is also not clear if Plaintiff’s only cause of action in his complaint is that there was a breach of contract. A breach of contract cause of action does not arise under the Constitution, laws, or treaties of the United States, and therefore it cannot be the basis for this Court’s subject matter jurisdiction.

No oral argument on this matter will be heard unless otherwise ordered by the Court. *See* Fed. R. Civ. P. 78; Local Rule 7-15. Plaintiff is Ordered to provide in writing by February 26, 2014 the factual and legal basis for satisfying subject matter jurisdiction, or the filing of an amended complaint so alleging subject matter jurisdiction. The Order will stand submitted upon the filing of the response. Failure to respond to this Order or file an amended complaint on or before February 26, 2014 will result in the dismissal of this action, without prejudice.

IT IS SO ORDERED.

cc: all parties